**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**IN ITS INSOLVENCY JURISDICTION**

**OFFICIAL ASSIGNEE'S REPORT DATED 1ST DECEMBER, 2006**
**IN**
**INSOLVENCY NO. 100 OF 1956**

Re: Noshir Nawroji Katrak. ... Insolvent.

Ex-parte :

Homi P. Signapeira ... Petitioning Creditors.

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Mr. Y.C. Parikh, Official Assignee present.

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**CORAL : DR. D.Y. CHANDRACHUD,J.**

**05th DECEMBER 2006.**

**P.C. :**

1. An order of adjudication was passed on 3rd October 1956. The Official Assignee had declared three dividends; first of Rs.0.100 ps. in a rupee to the preferential creditors and Rs.0.2 1/2 ps. to the unsecured creditors on 1st May 1958, second of Rs.0.02 ps. in a rupee to the unsecured creditors on 21st November 1960 and third of Rs.0.03 ps. in a rupee on 21st November 1962. In the present case, no further recoveries are possible. There is a cash balance of Rs.4390/- lying in the estate as against the proved unsecured liability of Rs.4,68,711/-.

2. The Official Assignee has prayed that cash balance of Rs.4390/- may be transferred to the unclaimed dividend capital account under Rule 178 of the Bombay Insolvency Rules, 1910 and thereafter to the unclaimed dividend

capital revenue account and the account may be closed for administrative purposes.

3. Having regard to the circumstances set out in the report of the Official Assignee, there is no reason why the prayer should not be granted. Prayer clause (a) of the report of the Official Assignee is accordingly granted.

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